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S. 461

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2019

Referred to the Committee on Oversight and Reform, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

AN ACT

To strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “HBCU Propelling
3 Agency Relationships Towards a New Era of Results for
4 Students Act” or the “HBCU PARTNERS Act”.

5 **SEC. 2. FINDINGS AND PURPOSES.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) As many colleges and universities across the
8 country kept their doors closed to African American
9 applicants, historically Black colleges and univer-
10 sities (referred to in this section as “HBCUs”)
11 played a central role in ensuring that African Ameri-
12 cans could attain an excellent education.

13 (2) Today, HBCUs continue to play a critical
14 role in ensuring that African Americans, and those
15 of all races, can access high-quality educational op-
16 portunities.

17 (3) HBCUs enroll nearly 300,000 students, an
18 estimated 70 percent of whom come from low-income
19 backgrounds and 80 percent of whom are African
20 American.

21 (4) According to the National Association For
22 Equal Opportunity In Higher Education, HBCUs
23 make up just 3 percent of American institutions of
24 higher education but serve more than a fifth of Afri-
25 can American college students.

1 (5) A March 2017 report from the Education
2 Trust concluded that HBCUs have higher comple-
3 tion rates for African American students than other
4 institutions serving similar student populations.

5 (6) In 2014, HBCUs generated a total direct
6 economic impact of \$14,800,000,000 and created
7 more than 134,000 jobs, according to a study com-
8 missioned by the United Negro College Fund (re-
9 ferred to in this section as “UNCF”).

10 (7) According to the Thurgood Marshall College
11 Fund (referred to in this section as “TMCF”), 40
12 percent of African American Members of Congress,
13 50 percent of African American lawyers, and 80 per-
14 cent of African American judges are graduates of
15 HBCUs.

16 (8) According to UNCF, in 2013, HBCUs
17 awarded a quarter of all science, technology, engi-
18 neering, and mathematics bachelor’s degrees award-
19 ed to African Americans.

20 (9) According to TMCF, approximately 9 per-
21 cent of all African American college students attend
22 HBCUs.

23 (10) According to UNCF, African American
24 graduates of HBCUs are almost twice as likely as
25 African Americans who graduated from other insti-

1 tutions to report that their university prepared them
2 well for life.

3 (b) PURPOSES.—The purposes of this Act are—

4 (1) to strengthen the capacity and competitive-
5 ness of HBCUs to fulfill their principal mission of
6 equalizing educational opportunity, as described in
7 section 301(b) of the Higher Education Act of 1965
8 (20 U.S.C. 1051(b));

9 (2) to align HBCUs with the educational and
10 economic competitiveness priorities of the United
11 States;

12 (3) to provide students enrolled at HBCUs with
13 the highest quality educational and economic oppor-
14 tunities;

15 (4) to bolster and facilitate productive inter-
16 actions between HBCUs and Federal agencies; and

17 (5) to encourage HBCU participation in and
18 benefit from Federal programs, grants, contracts,
19 and cooperative agreements.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) APPLICABLE AGENCY.—The term “applica-
23 ble agency” means any Federal agency designated
24 by the Secretary, in accordance with section 4.

1 (2) EXECUTIVE DIRECTOR.—The term “Execu-
2 tive Director” means—

3 (A) the Executive Director of the White
4 House Initiative on Historically Black Colleges
5 and Universities, as designated by the Presi-
6 dent; or

7 (B) if no such Executive Director is des-
8 ignated, such person as the President may des-
9 ignate to lead the White House Initiative on
10 Historically Black Colleges and Universities.

11 (3) HBCU.—The term “HBCU” means a his-
12 torically Black college or university.

13 (4) HISTORICALLY BLACK COLLEGE OR UNI-
14 VERSITY.—The term “historically Black college or
15 university” has the meaning given the term “part B
16 institution” under section 322 of the Higher Edu-
17 cation Act of 1965 (20 U.S.C. 1061).

18 (5) PRESIDENT’S BOARD OF ADVISORS.—The
19 term “President’s Board of Advisors” means the
20 President’s Board of Advisors on historically Black
21 colleges and universities.

22 (6) SECRETARY.—Except as otherwise provided,
23 the term “Secretary” means the Secretary of Edu-
24 cation.

1 (7) WHITE HOUSE INITIATIVE.—The term
2 “White House Initiative” means the White House
3 Initiative on historically Black colleges and univer-
4 sities.

5 **SEC. 4. STRENGTHENING HBCUS THROUGH FEDERAL**
6 **AGENCY PLANS.**

7 (a) DESIGNATING APPLICABLE AGENCIES.—The
8 Secretary, in consultation with the Executive Director,
9 shall identify those Federal agencies that regularly inter-
10 act with HBCUs and designate them as applicable agen-
11 cies.

12 (b) SUBMITTING AGENCY PLANS.—Not later than
13 February 1 of each year, the head of each applicable agen-
14 cy shall submit to the Secretary and the Executive Direc-
15 tor an annual Agency Plan describing efforts to strength-
16 en the capacity of HBCUs to participate in relevant Fed-
17 eral programs and initiatives under the jurisdiction of the
18 applicable agency.

19 (c) FURTHER REQUIREMENTS FOR SUBMISSION AND
20 ACCESSIBILITY.—The head of each applicable agency shall
21 submit each annual Agency Plan described in subsection
22 (b) to the Committee on Health, Education, Labor, and
23 Pensions of the Senate and the Committee on Education
24 and Labor of the House of Representatives.

1 (d) AGENCY PLAN CONTENT.—Where appropriate,
2 each Agency Plan shall, among other things—

3 (1) establish how the applicable agency intends
4 to increase the capacity of HBCUs to compete effec-
5 tively for grants, contracts, or cooperative agree-
6 ments;

7 (2) identify Federal programs and initiatives
8 under the jurisdiction of the applicable agency where
9 HBCUs are not well-represented;

10 (3) outline proposed efforts to improve HBCUs’
11 participation in such programs and initiatives in
12 which they are underrepresented;

13 (4) describe any progress made towards advanc-
14 ing or achieving goals and efforts from previous
15 Agency Plans;

16 (5) encourage public-sector, private-sector, and
17 community involvement in improving the capacity of
18 HBCUs; and

19 (6) meet, where relevant, any additional criteria
20 established by the Secretary or the White House Ini-
21 tiative.

22 (e) AGENCY ENGAGEMENT.—To help fulfill the objec-
23 tives of the Agency Plans, the head of each applicable
24 agency—

1 (1) may provide, as appropriate, technical as-
2 sistance and information to the Executive Director
3 to enhance communication with HBCUs concerning
4 the applicable agency's program activities and the
5 preparation of applications or proposals for grants,
6 contracts, or cooperative agreements; and

7 (2) shall appoint a senior official to report di-
8 rectly to the agency head on the applicable agency's
9 progress under this section.

10 **SEC. 5. PRESIDENT'S BOARD OF ADVISORS ON HBCUS.**

11 (a) ADMINISTRATION.—

12 (1) IN GENERAL.—There is established the
13 President's Board of Advisors on historically Black
14 colleges and universities in the Department of Edu-
15 cation or, if the President so elects, within the Exec-
16 utive Office of the President.

17 (2) FUNDING FROM ED.—Except as provided in
18 paragraph (3), the Secretary shall provide funding
19 and administrative support for the President's
20 Board of Advisors, subject to the availability of ap-
21 propriations.

22 (3) FUNDING FROM THE EXECUTIVE OFFICE OF
23 THE PRESIDENT.—If the President elects to locate
24 the President's Board of Advisors within the Execu-
25 tive Office of the President, the Executive Office of

1 the President shall provide funding and administra-
2 tive support for the President's Board of Advisors,
3 subject to the availability of appropriations.

4 (b) MEMBERSHIP.—The President shall appoint not
5 more than 23 members to the President's Board of Advi-
6 sors, and the Secretary and Executive Director or their
7 designees shall serve as ex officio members. The President
8 shall designate one member of the President's Board of
9 Advisors to serve as its Chair, who shall help direct the
10 Board's work in coordination with the Secretary and in
11 consultation with the Executive Director. The Chair shall
12 also consult with the Executive Director regarding the
13 time and location of meetings of the President's Board
14 of Advisors, which shall take place not less frequently than
15 once every 6 months. Members of the President's Board
16 of Advisors shall serve without compensation, but shall be
17 reimbursed for travel expenses, including per diem in lieu
18 of subsistence, as authorized by law. Insofar as the Fed-
19 eral Advisory Committee Act (5 U.S.C. App.) may apply
20 to the Board, any functions of the President under such
21 Act, except for those of reporting to the Congress, shall
22 be performed by the Chair, in accordance with guidelines
23 issued by the Administrator of General Services.

24 (c) MISSION AND FUNCTIONS.—The President's
25 Board of Advisors shall advise the President, through the

1 White House Initiative, on all matters pertaining to
2 strengthening the educational capacity of HBCUs. In par-
3 ticular, the President's Board of Advisors shall advise the
4 President in the following areas:

5 (1) Improving the identity, visibility, distinctive
6 capabilities, and overall competitiveness of HBCUs.

7 (2) Engaging the philanthropic, business, gov-
8 ernment, military, homeland-security, and education
9 communities in a national dialogue regarding new
10 HBCU programs and initiatives.

11 (3) Improving the ability of HBCUs to remain
12 fiscally secure institutions that can assist the Nation
13 in achieving its educational goals and in advancing
14 the interests of all Americans.

15 (4) Elevating the public awareness of, and fos-
16 tering appreciation of, HBCUs.

17 (5) Encouraging public-private investments in
18 HBCUs.

19 (6) Improving government-wide strategic plan-
20 ning related to HBCU competitiveness to align Fed-
21 eral resources and provide the context for decisions
22 about HBCU partnerships, investments, perform-
23 ance goals, priorities, human capital development
24 and budget planning.

1 (d) REPORT.—The President’s Board of Advisors
2 shall report annually to the President on the Board’s
3 progress in carrying out its duties under this section.

Passed the Senate February 12, 2019.

Attest:

JULIE E. ADAMS,

Secretary.